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ELECTRONICALLY FILED
DOC #:
DATE FILED: 09/16/2020

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SILBIA DOLORES MUY GOMEZ,
individually and on behalf of all other persons
similarly situated,

Plaintiff,

-against-

NEW PRECIOUS NAIL, INC. d/b/a/ Precious
Nails; PELINO YOON a/k/a Yung Yoon; and
SOPHIA YOON,

Defendants.

1:19-cv-2659-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On July 24, 2020, Plaintiff informed the Court that she had reached a consensual resolution of this case with all Defendants [ECF No. 36]. Subsequently, the parties submitted a letter and documentation supporting the fairness of the settlement [ECF No. 39].

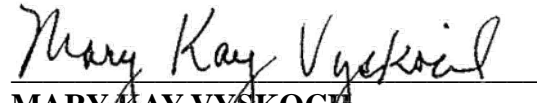
The Court has reviewed these documents for fairness in accordance with the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §§ 201, *et seq.*, and Second Circuit law, *see, e.g., Cheeks v. Freeport Pancake House*, 796 F.3d 199 (2d Cir. 2015). In addition, the Court held a hearing on September 15, 2020. The Court has concluded that the terms of the proposed settlement, as a whole, are fair and reasonable in light of all the circumstances: specifically, the employment records produced by Defendant that call into question the strength of Plaintiff’s claim and the difficulty Plaintiff might have in collecting a judgment given the business Defendant’s closure and the individual Defendants’ relocation. The Settlement Agreement appears to be the product of an arms-length negotiation and is therefore approved as fair and reasonable.

In addition, the Court approves the request for attorneys' fees in the amount of \$4,166.66 [ECF No. 39]. This allocation is fair and reasonable as it is less than both the lodestar amount and the amount agreed upon in the retainer agreement.

The Settlement Agreement provides for the signing of a Stipulation of Dismissal with Prejudice upon the execution of the Agreement. Accordingly, the case is dismissed with prejudice and the clerk of the court is respectfully requested to close the case.

SO ORDERED.

Date: September 16, 2020
New York, NY


MARY KAY VYSKOCIL
United States District Judge